

Message Text

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FOLLOWING SENT ACTION MONTEVIDEO INFO PORT OF SPAIN SEP 09
REPEATED FOR YOUR ACTION

QUOTE
FOR ASSISTANT SECRETARY OF STATE BARBARA WATSON

EO 11652: NA
TAGS: CGEN, BL
SUBJECT: VISIT TO BOLIVIA

1. SUMMARY: ASSISTANT SECRETARY OF STATE FOR CONSULAR
AFFAIRS, BARBARA WATSON'S VISIT TO BOLIVIA FROM
SEPTEMBER 1-3 WAS TIMED PERFECTLY TO UTILIZE PRESIDENT
BANZER'S FORTHCOMING VISIT TO WASHINGTON TO IMPEL
FURTHER AND SIGNIFICANT GOB ACTIONS REGARDING THE
PROBLEM OF U.S. CITIZEN DETAINEES. THE ASSISTANT
SECRETARY APPEARS TO HAVE IMPRESSED THE BOLIVIANS WITH HER
UNDERSTANDING OF THE LIMITATIONS OF BOLIVIAN LAW, WHILE
AT THE SAME TIME BRINGING HOME TO THEM THE POLITICAL AS
WELL AS THE JUDICIAL NATURE OF THE PROBLEM. SHE MADE CLEAR
THAT THE PRISONER PROBLEM COULD NOT HELP BUT SERIOUSLY
AFFECT AND COLOR BILATERAL RELATIONS BETWEEN THE TWO COUNTRIES
IF THE PROBLEM WERE NOT RAPIDLY SOLVED. MISS WATSON CONFERRED
WITH THE MINISTERS OF FORIEGN AFFAIRS AND INTERIOR, THE SUB-
SECRETARY OF JUSTICE, THE HEAD OF THE NARCOTICS POLICE BUREAU,
LOWER COURT JUDGES, AND THE PRESIDENT OF THE SUPERIOR COURT
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ARGUING FOR CASE ACCELERATION, HUMANE AND CORRECT TREATMENT,
COMPASSION FOR THE SERIOUSLY ILL AND FAIR AND EQUITABLE
DECISIONS. SHE HELD LENGTHLY DISCUSSIONS WITH EMBASSY
LEGAL ADVISERS AND ESTABLISHED A SIGNIFICANT RAPPORT WITH
THEM. SHE VISITED ALL THE PRISONERS IN LA PAZ, AND SPOKE
INDIVIDUALLY WITH ALL WHO WISHED TO DISCUSS THEIR SITUATIONS
WITH HER. DURING HER VISIT THE GOVERNMENT DECREE

ELIMINATING MANDATORY SUPREME COURT REVIEW OF NARCOTICS CASES TOOK EFFECT DEFINITELY AND WITHIN TWENTY FOUR HOURS TWO AMERICAN PRISONERS WERE RELEASED--THE FIRST TO BENEFIT FROM ITS PROVISION. END SUMMARY.

2. DURING HER THREE DAY VISIT TO LA PAZ, MISS WATSON, IN A CALM AND CLEAR MANNER, EXPLAINED THE JUDICIAL AND POLITICAL RAMIFICATIONS OF THE PRISONER PROBLEM TO HIGH LEVEL BOLIVIAN OFFICIALS AND THEY SEEMED TO UNDERSTAND THE IMPORTANCE OF ACHIEVING A JUST AND EQUITABLE SOLUTION. TALKS WITH INTERIOR MINISTER PEREDA WHICH BEGAN ON A COOL NOTE ENDED WITH HIS EXPRESSING UNDERSTANDING OF THE NEED FOR CREATIVE AND AFFIRMATIVE ACTION. SUB-SECRETARY OF JUSTICE BALLIVIAN, DURING HIS MEETING WITH MISS WATSON ARRANGED FOR THE ISSUANCE OF A MINISTERIAL NOTICE ADVISING COURTS AND JUDGES THAT THE GOB DECREE ELIMINATING SUPREME COURT REVIEW IN NARCOTICS CASES WAS CONSIDERED BY THE GOVERNMENT TO BE IN FULL FORCE. MISS WATSON ALSO ELICITED A PROMISE FROM THE SUB-SECRETARY TO ACTIVELY SEEK FORMS OF JUDICIAL RELIEF FOR PRISONERS SUFFERING FROM MENTAL OR PHYSICAL ILLNESSES, THUS PERMITTING THEM TO RETURN TO THE UNITED STATES.

3. IN DISCUSSIONS WITH NARCOTICS BUREAU CHIEF, COL. APARICIO, THE ASSISTANT SECRETARY STRESSED THE LIMITED OFFICIAL USE

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IMPORTANCE OF PROMPT NOTIFICATION OF ARREST DIRECTLY TO A CONSULAR OFFICER AS WELL AS PROVISION OF IMMEDIATE ACCESS TO THE DETAINEE BY A CONSULAR OFFICER. COL APARICIO GAVE FULL ASSURANCE THAT NOTIFICATION WOULD BE RAPID AND DIRECT AND INSISTED THAT CONSULAR ACCESS HAS BEEN AND WILL CONTINUE TO BE PROVIDED.

4. MISS WATSON MET WITH EMBASSY LEGAL ADVISERS TOVAR AND QUINTANILLA DISCUSSING THE FUNCTIONING OF THE JUDICIAL SYSTEM AS WELL AS THE REALITIES OF THE INDIVIDUAL CASES. SHE SEEMED TO ESTABLISH CONSIDERABLE EMPATHY WITH THEM AND WAS CONVINCING IN EXPRESSING STATE DEPARTMENT APPRECIATION FOR AND SATISFACTION WITH THEIR WORK AS WELL AS RESPECT FOR THEIR UNDERSTANDING OF BOLIVIAN LAW.

5. IN VISITS TO THE SAN PEDRO MEN'S JAIL, THE OBRAJES WOMEN'S JAIL AND THE PSYCHIATRIC CLINIC IN MIRAFLORES WHERE DANIEL GOLDMAN IS INTERNED, MISS WATSON SPOKE WITH THE AMERICAN PRISONERS IN GROUPS AND THEN MADE HERSELF AVAILABLE TO SPEAK WITH THEM ON AN INDIVIDUAL BASIS.

6. ON THE MORNING OF SEPTEMBER 3, THE ASSISTANT SECRETARY

MADE AN IMPROMPTU AND INFORMAL VISIT TO THE PALACE OF JUSTICE WITH CONSULAR OFFICERS AND EMBASSY LEGAL ADVISERS. IN MEETINGS WITH LOWER COURT JUDGES VARGAS-CARDONA AND ROJAS AND PRESIDENT OF THE SUPERIOR COURT LUGONES, MISS WATSON STRESSED CASE ACCELERATION AND REFERRED TO SPECIFIC PENDING EXAMPLES (BLUM-LOGAN, PALAZUELOS, SPAW, PAULSEN AND SANDERS, MCGINNIS, DUFFY AND SULLIVAN, ETC.) WHICH THE USG IS ESPECIALLY ANXIOUS TO SEE RESOLVED IN A HUMANE, EQUITABLE AND EXPEDITIOUS MANNER. WHILE THE JUDGES INSISTED THAT THEY COULD PROMISE NO MORE THAN ACCELERATED CONSIDERATION, THEY APPEARED IMPRESSED WITH MISS WATSON'S LEGAL BACKGROUND AND EXPRESSED THEIR OWN DEVOTION TO HUMANITARIAN JUSTICE.

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7. THE RELEASE OF RICHARD FARMER AND DIANA WALKER ON SEPTEMBER 2 IMMEDIATELY FOLLOWING THE REVOCATION OF AUTOMATIC SUPREME COURT REVIEW IN NARCOTICS CASES MUST AT LEAST BE PARTIALLY ASCRIBED TO MISS WATSON'S TENACITY AND PERSUASIVENESS WITH BOLIVIAN OFFICIALS.

8. NOTE FOR MISS WATSON: FOR YOUR APPROVAL AND FORWARDING TO WASHINGTON.

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